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best general view yet published of the conditions of a country which seems destined to bear important economic and political relations to the United States.

F. W. BLACKMAR.

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*Les Destinées de l'Arbitrage International depuis la sentence rendue par le tribunal de Genève.* By Professor E. ROUARD DE CARD. Pp. 264. Price 5 fr. Paris: 1892.

This book is an encouraging one to those who favor an extension of the principles of peace. In all times philosophers have dreamed of perpetual peace and have formed specific plans for bringing it about; but this book seems to show that it is reasonable to hope that the times of peace are at least to be much extended.

The author gives a full account of the steps that have been taken since the decision of the Alabama question in 1872 to bring about the settlement of international disputes by arbitration. He first gives a brief account of the different peace societies that have been formed; then follows this by an account of certain societies whose purpose is the settlement of international disputes by arbitration. Most encouraging is the report regarding the work of the international leagues. The Institute of International Law, for example, that from the reputation of its members and from the excellent work that it has done in all fields of international law has had so much influence, is shown to have formulated regulations for international arbitration that have been accepted by different states. This Institute has also suggested forms of treaties that shall provide for the settlement by arbitration of all disputes that may arise in the future.

A brief statement is made of the work of the Universal Congresses of Peace that were held in Paris in 1878 and 1889 at the International Expositions there, and afterward in London, 1890, and Rome, 1891. The book was published too early to contain an account of the work done at the Congresses in Berne, 1892, and Chicago, 1893. Of more immediate practical utility, perhaps, has been the work of the Interparliamentary Conferences whose sessions were held at the same places and times with those of the Universal Congresses of Peace from 1889 to 1892. These conferences are composed of members of different legislative bodies in Europe, and the decisions taken by them are in such form that they can be presented to the different legislatures for immediate action.

Of less importance, perhaps, than the action of these last two associations, but yet of some influence in the direction of perpetual peace, is the Congress of the Three Americas held in Washington in 1889-90, of which, so far as it concerns this subject, a full account is given.

The latter part of the work is taken up with an account of the motions that have been made in the parliaments of different countries with the object of recommending the employment of international arbitration and of inserting arbitration clauses in treaties, and especially with a complete statement of the international differences that, as a matter of fact, have been submitted to arbitrators for their settlement. It is interesting to note the rapidly increasing number of questions as important as the delimitation of frontiers, or even as the right to the possession of territory, that have been settled in this way; while very many less important ones, relative to the rights of navigation, of fishing, of the seizure of ships or the confiscation of cargoes, which often arouse bitter feeling between friendly nations, have been settled without difficulty.

The ultimate purpose, of course, of the peace societies is to endeavor to found an international court that may settle all disputes between nations that enter into the agreement establishing the court. As yet there is little to report along this line beyond the resolutions of the societies themselves; but actions that tend strongly that way are found in the treaties providing for permanent arbitration, between the countries agreeing to them, of all questions of dispute that may arise. Such treaties exist between several States of Central America, between States of Central America and those of South America, and between States of the three Americas. Treaties of commerce and of navigation, providing for settlement by arbitration of disputes on this subject, exist between France and the Republic of Equador, between Switzerland and Salvador, but as yet none of the greater nations have entered into such treaties between one another. The most important step that has been taken, perhaps, toward the formation of a general tribunal of arbitration is found in the action of the United States, which has asked foreign nations to enter into a permanent arrangement with it for the submission to arbitration of all questions of dispute that may arise between them.

An appendix to the book contains copies of the texts of the several resolutions, petitions, and conventions that exist between different nations, providing for arbitration, or for any peaceful settlement of disputes. While it is not to be expected that we are to see the settlement of all difficulties without war for a long time yet to come, the rapidly growing importance of arbitration as a means of settling international disputes does seem to show that wars are to become much less frequent, and we may reasonably hope that within a comparatively short time only questions of the most vital importance to the interests of nations, such as those that involve a nation's existence, must be submitted to the arbitrament of war. Perhaps no greater service to

the cause of peace can be rendered than by the publication from time to time of books such as this one, which shows accurately and completely what has been already accomplished in that direction.

JEREMIAH W. JENKS.

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*An Essay on Judicial Power and Unconstitutional Legislation.* By BRINTON COXE. Pp. xvi, 415. Price \$3.00. Philadelphia: Kay & Brother, 1893.

This volume does not quite agree in its contents with the title given it. Mr. Coxe died, leaving his work unfinished, but this introductory historical part, fortunately complete in itself, had already received his final revision, and is now published under the title of the projected completer undertaking. Mr. Coxe had proposed to show "that the Constitution of the United States contains express texts providing for judicial competency to decide questioned legislation to be constitutional or unconstitutional, and to hold it valid or void accordingly." The author's contention that judicial authority to determine the constitutionality of legislation is provided for "in *express* terms," instead of being "based upon implication and inference," may or may not be sound; but the question need not be discussed here, since it is one which he did not reach in the volume before us. While the essay shows on almost every page abundant evidence of much thought and extensive investigation, one is yet bound to point out that judicious rewriting and rearrangement might have reduced the essay proper to one-fourth its present length, through the relegation to foot-notes and appendices of a large amount of illustrative and remote material, with the result of thereby obtaining a far more logical and consistent presentation of the subject. A large portion of the German, Roman, Canon and even English law referred to, and dwelt upon at considerable length, seems far fetched; certainly many of the cases cited bear little resemblance to unconstitutional legislation in the American sense of the expression. Often such legislation was unconstitutional in a sense similar to the modern English use of the term, but not the American. The latter part of the volume is more satisfactory. Considerable use is made of the Rhode Island case of *Trevett vs. Weeden*, the first American case, according to Judge Cooley, in which a law "was declared unconstitutional and void." If, however, Mr. Coxe's repeated assertion is true, that Rhode Island was at that time living under an unwritten constitution—an assertion to which exception may be taken—then the law in question was unconstitutional, if unconstitutional at all, in the English sense only. On an early page Mr.